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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 WANDA R. CLEMONS,)
16 Plaintiff,) Case No. 2:18-cv-00824-JAD-PAL
17 v.)
18 NANCY A. BERRYHILL,) **UNOPPOSED MOTION FOR**
19 Acting Commissioner of Social Security,) **EXTENSION OF TIME**
20 Defendant.) **(FIRST REQUEST)**

21 Defendant Nancy A. Berryhill, Acting Commissioner of Social Security (“Defendant”)
22 respectfully requests that the Court extend the time for Defendant to file her Cross-Motion to Affirm and
23 Response to Plaintiff’s Motion for Reversal, due on **February 6, 2019**, by **30 days**, through and
24 including **March 8, 2019**. This request is made in good faith with no intention to unduly delay the
25 proceedings.

26 An extension of time is needed because counsel for Defendant is currently responsible for
27 performing a range of tasks that preclude drafting the Commissioner’s response to Plaintiff’s summary

judgment motion by February 6, 2019, such as: drafting a brief in a Social Security matter before the Ninth Circuit; negotiating (or litigating) attorney fee matters pursuant to the Equal Access to Justice Act before the district courts within the Ninth Circuit; assisting with the training of newly hired attorneys in the agency's Office of the General Counsel, Region IX; conducting discovery in personnel litigation pending before the Merit Systems Protection Board; and assisting with implementing the terms of the class action settlement reached in *Hart v. Berryhill* (N.D.Cal. No. 3:15-cv-623-JST). This extension will enable counsel for Defendant to fully review the record and Plaintiff's summary judgment motion and evaluate the defensibility of the Commissioner's position.

Counsel for Defendant conferred with Plaintiff's counsel, Cyrus Safa by email on February 4, 2019, who has no opposition to this motion.

Respectfully submitted this 4th day of February 2019.

NICHOLAS A. TRUTANICH
United States Attorney

/s/ Asim H. Modi
ASIM H. MODI
Special Assistant United States Attorney

OF COUNSEL:

DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX

IT IS SO ORDERED:

Terry A. Teer
UNITED STATES MAGISTRATE JUDGE

DATED: February 5, 2019

CERTIFICATE OF SERVICE

I, Asim H. Modi, certify that the following individuals were served with the foregoing
UNOPPOSED MOTION FOR EXTENSION (FIRST REQUEST) on the date and via the method of
service identified below:

CM/ECF:

Cyrus Safa, Esq.
Law Offices of Lawrence D. Rohlffing
12631 E. Imperial Highway, Suite C-115
Santa Fe Springs, CA 90670
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Dated this 4th day of February 2019.

//s// Asim H. Modi
ASIM H. MODI
Special Assistant United States Attorney